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EXAMINER

RAHMAN, MOHAMMAD N

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/539,852

Applicant(s)

LUOMA ET AL.

Examiner

MOHAMMAD N. RAHMAN

Art Unit

2161

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,7,9,10,13,15,17,18,21-23,25-29,31,34,43-45,53-55,58-61 and 75-77 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims pending in the application are 1,2,5,7,9,10,13,15,17,18,21-23,25-29,31,34,43-45,53-55,58-61 and 75-77.

Detailed Action

1. This communication is responsive to the request for continued examination (RCE) filed on 12/18/2008. **Claims 1, 9, 10, 13, 22, 23, 28, 29, 31, 53-55, 58, 60, 75, and 76** have been amended. **Claims 42, 64 and 65** have been canceled. **Claims 1, 2, 5, 7, 9, 10, 13, 15, 17, 18, 21-23, 25-29, 31, 34, 43-45, 53-55, 58-61 and 75-77** are pending in this office action.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/18/2008 has been entered.

Claim Rejection – 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the

international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, 2, 5, 7, 9, 10, 13, 15, 21-22, 25-29, 31, 34, 43-45, 53-55, 58-61, and 75-77,** are rejected under 35 U.S.C. 102 (e) as being anticipated by Slaughter et al. (U.S. Application Patent No. 7,080,078 B1), herein referred to as "Slaughter".

As to claim 1, Slaughter teaches, a method comprising:

- "providing a first set of announcements describing a plurality of multimedia sessions transmitted through a network" at Fig. 23 and col. 1, lines 25-31 and 47-61, col. 2, lines 14-28, col. 41, lines 19-23, col. 59, lines 6-9 and col. 73, lines 52-59; and

(Slaughter teaches, "distributed computing environment may use the Multicast Announcement Protocol (multicast UDP) to announce themselves on a LAN" at col. 41 and lines 19-23, and "displaying results of the service in visual, audio, or other perceptible format" at col.73, lines 52-59 (since multimedia is media and content that utilizes a combination of different content forms), thus the announcement contains the description of the one or more sessions which is being transmitted through a network.)

- "providing a second set of announcements describing at least one updated multimedia session" at col. 21, lines 30-40 and at col. 50, lines 43-52, also about "modification" or "updated session", see col. 7, lines 59-67, col. 8, lines 1-5 and col. 73, lines 52-59; and

(Slaughter teaches, "the gate may be modified as to the contents of the message schema after the gate is created, including deleting, adding, or modifying messages in the message schema "at col. 21, lines 30-40 and "to update the various security policies of the space, and other administrative facilities" at col. 240, lines 43-52, which clearly describes that a set of announcements being describing at least one updated session.)

- "transmitting said first and second set of announcements" col. 41, lines 19-48.

(Slaughter teaches, "distributed computing environment may use the Multicast Announcement Protocol (multicast UDP) to announce themselves on a LAN" at col. 41 and lines 19-48, thus the announcements are being transmitted through a network.)

Note that claims 9, 43, 55 (about the "processor" see at Slaughter , col. 6 and lines 19-26 and for "output", see col. 92 and lines 40-48) and 75 recite the same corresponding limitations as set forth in claim 1 above, thus the claim is rejected accordingly.

As to claim 2, Slaughter teaches, "a method according to claim 1, wherein transmitting said first and second set of announcements comprises transmitting said first set of announcements through a first channel and transmitting said second set of announcements through a second, different channel" at col. 19, lines 57-61.

As to claim 5, Slaughter teaches, "a method according to claim 1, wherein transmitting said first set of announcements and transmitting said second set of

announcements comprises transmitting said first set of announcements through a first IP address and transmitting said second set of announcements through a second, different IP address respectively" at col. 10, lines 52-67 and at col. 11, lines 1-17.

As to claim 7, Slaughter teaches, "a method according to claim 1, wherein transmitting said first set of announcements and transmitting said second set of announcements comprises transmitting said first set of announcements through a first port number and transmitting said second set of announcements through a second, different port number respectively" at col. 16, lines 1-10.

As to claim 10, Slaughter teaches, "a method according to claim 1, wherein providing said first set of announcements and providing said second set of announcements comprises including in each announcement of said first set of announcements respective data for specifying a position of a corresponding multimedia session within a first portion of a session directory and including in each announcement of said second set of announcements respective data for specifying a position of a corresponding multimedia session within a second portion of the multimedia session directory" at col. 38, lines 13-20.

As to claim 13, Slaughter teaches, "a method according to claim 1, further comprising providing a third set of announcements describing another plurality of multimedia sessions including said at least one updated multimedia session" at col. 42, lines 40-43 and col. 50, lines 43-52.

Note that claims 28 and 54 recite the same corresponding limitations as set forth in claim 13 above, thus the claim is rejected accordingly.

As to claim 15, Slaughter teaches, “a method according to claim 1, comprising arranging the providing of said second set of announcements after the providing of said first set of announcements” at col. 49, lines 58-62.

As to claim 21, Slaughter teaches, “A method according to claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements according to user datagram protocol” at col. 57, lines 1-6.

As to claim 22, Slaughter teaches, “a method according to claim 1, comprising including a description of a corresponding multimedia session in each announcement” at col. 19, lines 1-5.

As to claim 25, Slaughter teaches, “a method according to claim 1, wherein transmitting said first set of announcements comprises said first set of announcements as a series of linked messages” at col. 31, lines 20-24.

As to claim 26, Slaughter teaches, “a method according to claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements in a first set of time slots and transmitting said second set of announcements in a second set of time slots, each timeslot of said first set of timeslots being provided at a different time from each timeslot of said second set of timeslots” at col. 48, lines 37-40 and col. 275, lines 45-50.

As to claim 27, Slaughter teaches, “a method according to claim 1, comprising multiplexing said first and second sets of announcements” at col. 48, lines 47-65, for “multiplexing”, see the description about “internet access” and “networks are complex set up”.

As to claim 29, Slaughter teaches, “a method according to claim 1, wherein providing the second set of announcements describing the at least one updated multimedia session comprises providing a set of announcements identifying the at least one updated multimedia session” at col. 21, lines 30-40 and at col. 50, lines 43-52.

As to claim 31, Slaughter teaches, “a method according to claim 1, wherein providing the second set of announcements describing the at least one updated multimedia session comprises providing a set of notifications pointing to the at least one updated multimedia session” at col. 46, lines 58-66 and col. 21, lines 30-40 and at col. 50, lines 43-52.

As to claim 34, Slaughter teaches, “a method according to claim 1, comprising transmitting at least one of said sets of announcements according to asynchronous layered coding (ALC) protocol” at col. 58, lines 56-60.

As to claim 44, Slaughter teaches, “a method according to claim 75, further comprising determining whether all of said first set of announcements have been received” at col. 29, lines 33-35.

As to claim 45, Slaughter teaches, “a method according to claim 44, further comprising selecting not to receive further said first set of announcements and selecting

to receive said second set of announcements” at col. 29, lines 33-35, since the message conductor may or may not interact with the user of the service.

As to claim 53, Slaughter teaches, a method comprising:

- “listening to a first set of announcements describing a plurality of multimedia sessions transmitted through a network” at Fig. 23 and col. 1, lines 25-31 and 47-61, col. 2, lines 14-28, col. 41, lines 19-23, col. 59, lines 6-9 and col. 73, lines 52-59 ; and

(Slaughter teaches, “distributed computing environment may use the Multicast Announcement Protocol (multicast UDP) to announce themselves on a LAN” at col. 41 and lines 19-23, and “displaying results of the service in visual, audio, or other perceptible format” at col.73, lines 52-59 (since multimedia is media and content that utilizes a combination of different content forms), thus the announcement contains the description of the one or more sessions which is being transmitted through a network.)

- “determining whether said first set of announcements have been received” at col. 29, lines 33-35;

(Slaughter teaches, “the message conductor may interact with the user of the service to receive input and display results”, thus the announcements have been received.)

- "if said first set of announcements have been received, then stopping listening to said first set of announcements, listening to a second set of announcements describing at least one updated multimedia session and accessing at least one of the plurality of multimedia sessions" at col. 29, lines 33-35, col. 41 and lines 19-23, col. 73, lines 52-59.

(Slaughter teaches, "the message conductor may interact with the user of the service to receive input and display results" at col. 29, lines 33-35, which clearly interprets that, since the message conductor may or may not interact with the user of the service, also about the "plurality of multimedia sessions", see at col. 41, lines 19-23 and col. 73, lines 52-59.)

Note that claims 58 (about the "processor" see at Slaughter , col. 6 and lines 19-26 and for "output", see col. 92 and lines 40-48) and 59 recite the same corresponding limitations as set forth in claims 1 and 53 above, thus the claim is rejected accordingly.

As to claim 54, Slaughter teaches, "a method according to claim 53, further comprising: stopping listening to a third. set of announcements describing a further plurality of multimedia sessions including said at least one updated multimedia session" at col. 46, lines 58-66 and col. 21, lines 30-40 and at col. 50, lines 43-52.

Note that claim 76 recite the same corresponding limitations as set forth in claim 54 above, thus the claim is rejected accordingly.

As to claim 60, Slaughter teaches, the apparatus according to claim 59, wherein:

“the receiver is further configured to selectively receive a third set of announcements describing another plurality of multimedia sessions including said at least one updated multimedia session” at col. 46, lines 58-66 and col. 21, lines 30-40 and at col. 50, lines 43-52; and

“said apparatus is configured such that if the processor determines that said first set of announcements has been received, then the receiver is configured not to receive or not to forward said third set of announcements” at col. 29, lines 33-35.

As to claim 61, Slaughter teaches, “The apparatus according to claim 60 which is a mobile communications device” at col. 3, lines 49-51.

As to claim 77, Slaughter teaches, “A method according to claim 1, comprising transmitting at least one of said sets of announcements according to a protocol based on asynchronous layered coding protocol” at col. 15 and lines 40-51.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 17, 18 and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Slaughter et al. (U.S. Application Patent No. 7,080,078 B1) in view of Reynolds et al. (U.S. Publication No. 2001/0037500), here in referred to as "Reynolds".

As per claim 17, Slaughter teaches, "the message conductor may interact with the user of the service to receive input and display results" at col. 29, lines 33-35 except "a method according to claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements according to a session announcement protocol".

However, Reynolds teaches, "a method according to claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements according to a session announcement protocol" at paragraph [0013], and lines 1-15.

(Reynolds teaches, "Transport type B include three related data sources: announcements (which can be delivered via the session announcement protocol (SAP)", which clearly describes about the function of the session announcement protocol.)

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Slaughter et al. teaching of "a method according to claim 1, a method according to claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements according to a session announcement protocol" as taught by Reynolds "Transport type B include

three related data sources: announcements (which can be delivered via the session announcement protocol (SAP)" and in order to broadcasting multicast session information, it is very useful to listening application to the well-known SAP multicast address and construct a guide of all advertised multicast sessions.

As per claim 18, Slaughter teaches, "the message conductor may interact with the user of the service to receive input and display results" at col. 29, lines 33-35 except "wherein transmitting said first set of announcements comprises transmitting said first set of announcements according to a unidirectional transport protocol".

However, Reynolds teaches, "wherein transmitting said first set of announcements comprises transmitting said first set of announcements according to a unidirectional transport protocol" at paragraph [0013], and lines 1-15.

(Reynolds teaches, " content (which can be delivered via the unidirectional hypertext transfer protocol (UHTTP)", thus, it is clearly describes here about the unidirectional transport protocol used in a broadcasting of multicast sessions.)

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Slaughter et al. teaching of "a method according to claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements according to a unidirectional transport protocol" as taught by Reynolds, "content (which can be delivered via the unidirectional hypertext transfer protocol (UHTTP)" and in order to transmitting the broadcast of

multicast session information efficiently, the unidirectional transport protocol is being used.

As per claim 23, Slaughter teaches, "the message conductor may interact with the user of the service to receive input and display results" at col. 29, lines 33-35 except , "a method according to claim 1, comprising including a description of a corresponding session arranged according to session description protocol) in each announcement".

However, Reynolds teaches, "a method according to claim 1, comprising including a description of a corresponding session arranged according to session description protocol in each announcement" at paragraph [0014], and lines 1-3.

(Reynolds teaches, "port defined in the SDP announcement for the enhanced TV program", which clearly describes about the function of the session description protocol (SDP).)

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Slaughter et al. teaching of "a method according to claim 1, comprising including a description of a corresponding session arranged according to session description protocol in each announcement", as taught by Reynolds, "port defined in the SDP announcement for the enhanced TV program", and SDP is used in order to describing multimedia sessions for the purposes of session announcement, session invitation, and other forms of multimedia session initiation.

Response to Arguments

7. Applicant's arguments filed May 15, 2008 have been fully considered but they are not persuasive. The examiner respectfully traverses applicants' argument.

Applicant's response overcomes the "objection to specification" and "35 USC §101" rejection.

However, claims **1, 2, 5, 7, 9, 10, 13, 15, 21-22, 25-29, 31, 34, 43-45, 53-55, 58-61, 75, 76 and 77** are rejected under 35 U.S.C. 102 (e) as being anticipated by Slaughter et al. (U.S. Application Patent No. 7,080,078 B1).

Regarding claim 1, applicant's argument stated on page 15, "Slaughter, as well as the additional art, including US patent application publication 2001/10037500, Reynolds, et al, are not directed to the problem or solution of the present invention by which a first and second set of announcements are provided which describe a plurality of multimedia sessions transmitted through a network, as well as a second set of announcements describing at least one updated multimedia session and further including transmitting said first and second set of announcements. On the contrary Slaughter teaches, "distributed computing environment may use the Multicast Announcement Protocol (multicast UDP) to announce themselves on a LAN" at col. 41 and lines 19-23, and "displaying results of the service in visual, audio, or other perceptible format" at col.73, lines 52-59 (since multimedia is media and content that utilizes a combination of different content forms), thus the announcement contains the description of the one or more sessions which is being transmitted through a network", and Reynolds teaches, "Transport type B include three related data sources:

announcements (which can be delivered via the session announcement protocol (SAP)", which interprets the function of the multimedia session announcement protocol.

In light of the foregoing arguments, the **35 U.S.C. § 102 (e) and 35 U.S.C. § 103 (a)** rejections are hereby sustained.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Paila et al. (US Publication No. 2003/0100325) discloses a method and system for performing multicast broadcast handover in a wireless data network.

Holden (US Patent No. 6,771,639) discloses about providing announcement information in requests to establish interactive call sessions.

Liversidge et al. (US Patent No. 7,472,352) discloses a method and system for automatic handling of invitations to join communications sessions in a virtual team environment.

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad N. Rahman whose telephone number is 571-270-1631. The examiner can normally be reached on 7:30am - 5:00 pm, Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mofiz Apu M can be reached on 572-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ M. Rahman /
Examiner, AU 2161
Date: 01/04/2008

/Etienne P LeRoux/
Primary Examiner, Art Unit 2161